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SUBJECT: SLOVAKIA: EUR DAS DICARLO'S NOVEMBER 29 VISIT TO
BRATISLAVA

REF: BRATISLAVA 623 BRATISLAVA 612

Classified By: Ambassador Vincent Obsitnik, for Reasons 1.4 b and d.

¶1. (C) Summary. EUR DAS Rosemary DiCarlo met separately on November 29 with Slovak Foreign Minister Jan Kubis, MFA Political Director Roman Buzek, Head of the Parliamentary Foreign Affairs Committee Boris Zala, and former Slovak Foreign Minister Eduard Kukan to discuss next steps on Kosovo, Bosnia, and Macedonia. While conceding that Slovakia was unlikely to recognize an independent Kosovo. FM Kubis reaffirmed GOS commitment to stay in KFOR and to participate in an ESDP mission. He outlined in greater detail than in previous meetings what Slovakia sought in the way of legal assurances and formulations to ensure its participation in these missions, as well as to maintain its liaison office in Pristina. In this vein, Kubis stressed the need for a firm commitment on the part of the Kosovars to work constructively with the international community and to treat all EU states with a presence in Kosovo on an equal basis, irrespective of recognition. Kubis urged that everything possible be done to lay the groundwork for an ESDP mission prior to a Kosovar declaration of independence, including an invitation from the UN Secretary General to the EU and a statement from him confirming UNSCR 1244's continued validity, so that no one (e.g., the Slovak Parliament) could question the basis of the deployment. Zala and Kukan expressed disappointment, if not surprise, at the outcome of the talks. They also expressed the view (as did Kubis) that the negotiating process had been stacked heavily against the Serbs, whom they argued had made genuine, albeit not major, attempts to bridge the gap between the two parties. Nonetheless, despite their clear unease and unhappiness with the outcome of the talks and the prospect of an independent Kosovo, Kubis and the others made clear that Slovakia intends to deal constructively with the situation on the ground and not to hamper the EU majority's recognition of a "coordinated declaration of independence." End Summary.

DiCarlo-Kubis Meeting

2.(C) In his remarks to DAS DiCarlo, FM Kubis did not backtrack on recent statements to the Ambassador regarding Slovakia's commitment to behave constructively in the post-December 10 Kosovo process. The GOS remains committed to KFOR and ESDP. That said, the tone of Kubis's comments was harsher than it has been of late and was clearly intended to convey the depth of the government's displeasure with the lack of agreement and of any prospects for a UNSCR. Kubis opened by noting that it was his impression that while the Serbs had tried to move the talks forward, the Kosovar Albanians had merely stood their ground on independence. He then enumerated the risks associated with Kosovar independence: most notably, the possibility of regional

instability, but also challenges to international law and multilateral diplomacy and institutions. That said, he concluded, "we have to face realities." DAS DiCarlo pushed back firmly on Kubis's assessment of the talks, noting that Serb offers would have denied decision-making authority to the Kosovars on the key competencies. Frankly speaking DiCarlo added, having endorsed the Ahtisaari plan last spring, it would have been hard for the European Union and the United States to walk back from some form of independence for Kosovos. She added that we sought a "coordinated declaration of independence" (CDI) in Kosovo, not a unilateral declaration of independence (UDI) that was uncoordinated with key international partners..

3.(C) Kubis stressed the need for greater clarity on the status of UNSCR 1244. He agreed with DiCarlo's analysis that 1244 remains in effect until and unless the UNSC declares otherwise, but noted that a statement from the UN Secretary General to this effect would be very useful. UNSCR 1244 is the only basis for Slovak participation in KFOR and ESDP. As the responsible authority, the UN Secretary General should invite EU participation in Kosovo; an "invitation" from the Kosovar authorities would be very difficult for Slovakia to acknowledge. As he has on previous occasions, Kubis stressed the importance of timing for the GOS. Kubis wants the ESDP issue settled before UDI, so that "no one can question" the legal basis. Kubis urged a thorough evaluation of the ramifications of UDI, so that "we can maintain maximum unity." With a solid legal basis, he added, "we can walk together and work together" on everything save the question of recognition. While reiterating the GOS could not recognize CDI immediately, he did not rule out eventual recognition.

4.(C) DAS DiCarlo noted that UNSYG Ban believes that the status quo is not sustainable and wants to be as helpful as possible in laying the groundwork for a new international presence in Kosovo. Despite resistance from Russia, DiCarlo said she was confident that the UN will act to ensure that the international community has the proper mandates in Kosovo. She expected that a scaled back UNMIK mission likely would remain, and stressed the need to maintain an OSCE presence. If Russia and Serbia block OMIK, as is likely, its competencies would need to be absorbed by another mission. UNMIK has done all it can, but what Kosovo needed now was the type of capacity-building capabilities that an ESDP mission and the nascent Civilian office would provide. The U.S. will contribute 100 police officers to the ESDP Mission, as well as judges and prosecutors. Regarding a Kosovar invitation, DiCarlo argued that the U.S. sees it as a means of securing Kosovo's commitment to work constructively with the international community.

15. (C) DiCarlo said that the Kosovar leaders understood the need for close cooperation with the international community and had provided assurances along those lines, but added that the Kosovar people might not be so patient. Kubis noted that this was a positive step, adding that radicals in both Pristina and Belgrade must understand that there is no room for provocation. With an eye to selling Slovakia's participation in Kosovo operations to the Slovak Parliament, Kubis again noted that the Kosovars should "welcome," not "invite" international engagement, and commit to cooperation. This would be a good solution to the issue. A continued UN presence would provide the coverage Slovakia and some other states would need. He added that the Kosovars should make no distinction between those states that have recognized Kosovo and those that have not. This should be a clear and public stance; any other approach could jeopardize Slovakia's presence. When questioned about alternative courses of action other than swift implementation of the Ahtisaari Plan, Kubis stated his preference for a supervised interim phase in which the Kosovars would take steps to comply with the Ahtisaari Settlement and after which the international community could -- based on the progress -- bless independence. Responding to DiCarlo's description of the internal Kosovo dynamic (and implicitly acknowledging the unlikelihood of this scenario) he

said curtly: "I know they (the Albanians) are impatient, but I don't buy it. Let them wait." He added that it would be difficult to have the Kosovars in the OSCE or in the UN, at least initially. "This is the price they pay for UDI." Kubis pledged to counsel restraint on all sides during his December 2-4 visit to Belgrade, Pristina and Mitrovica.

Buzek Meeting

16. (C) DAS DiCarlo opened the discussion with an update on the situation in Bosnia and a call for firm EU support for Bosnia HiRep Lajcak. In addition to the internal problems within the BiH, outside interference from Belgrade and Moscow is further complicating the situation. We need to send a clear message that this is unacceptable. Buzek responded that Slovakia is "3 times more concerned" about instability in Bosnia, given its proximity to the region. Fragmentation of Bosnia along ethnic lines could have negative effects far beyond Europe. The GOS has urged the Bosnian Serbs, including during the recent visit of former PM Spiric to Bratislava, to act in a "European" way and to support HiRep Lajcak.

17. (C) On Kosovo, Buzek responded to DiCarlo's request for cooperation during the upcoming UNSC session on Kosovo by saying that "You may rely on Slovakia. We will not spoil the game...we want a united approach between the EU and U.S." Quick, coordinated efforts on the ground are essential to precluding unpredictable developments. While Slovakia would prefer a UNSC, "we are realists." Buzek repeated earlier complaints about lagging EU preparations, noting with some irony that come December 10 the EU would be considering "road maps" for an ESDP mission; it would not be in a position to approve it. He offered his view that the upcoming Slovenian Presidency would be more active, but might be limited in some ways by their emotional ties to the region. When an ESDP Mission is approved, Slovakia is prepared to deploy immediately 8 police officers to Serb areas of Kosovo. Echoing Kubis, Buzek drew a bright line between ESDP and recognizing an independent Kosovo. ESDP demonstrates Slovak commitment to stability in the region; UDI is a completely different matter. Asked whether an emphasis by the international community on the "sui generis" nature of Kosovo might help facilitate eventual Slovak recognition of Kosovo, Buzek responded affirmatively. We aren't acting in a vacuum, Buzek stated, and Slovakia doesn't want to be the last EU

state to recognize Kosovo, but the way the process unfolds will be very important.

18. (C) DAS DiCarlo reported with concern statements by Serbian President Tadic and FM Jeremic that Serbia would respond to any unilateral actions on the part of Kosovo. While she was confident that the Serbs would not respond militarily -- even though Kostunica has not explicitly ruled out the use of force -- Belgrade was discussing options such as embargoes, sanctions and electricity cutoffs. According to DiCarlo, while such measures would hurt Kosovo, they will be more damaging to Serbia. The radicalization of Serbian politics and the single-minded focus of Serb politicians on Kosovo was contributing to an unfortunate, downward spiral. Meanwhile, DiCarlo noted, the Russians are playing a pernicious role in the region. The U.S. and EU members would be talking to the Russians in the coming weeks on the way forward, but we were realistic and did not expect a constructive approach from Russia.

19. (C) Buzek and DiCarlo spoke briefly about Macedonia's NATO candidacy. Buzek reported that during the recent visit of the Macedonian PM, FM Kubis bluntly warned that Macedonia needed to redouble its efforts to fulfill NATO criteria. A false sense of confidence has led the Macedonians to be lackadaisical, assuming -- as the Slovaks mistakenly did in the mid-1990's -- that NATO would be willing to overlook aspects of its performance because of geogstrategic concerns. DiCarlo and Buzek agreed, that, contrary to expectations, Albania had surpassed Macedonia's performance. At the same

time, Slovakia has also told the Greeks that the name issue should not be permitted to block Allies from making a decision that affects the security of the region.

The View from Parliament

¶10. (C) Chairman of the Foreign Affairs Committee Boris Zala (a member of Prime Minister Fico's Smer party) lamented that, in his view, Serbia was being forced to accept the politically and historically unacceptable: Kosovar independence. A resigned (about Kosovar independence) Zala thinks this outcome is fraught with future dangers and is particularly concerned about the precedent it could set for other national minorities. Yet, the bulk of his comments were focused on the need -- particularly for the EU -- to manage the situation. Zala advocates a lengthy period of internationally-supervised independence. He is convinced that a long-term EU presence will be required in order to maintain stability in Kosovo and to develop its institutions. DAS DiCarlo agreed that, at least initially, Kosovo should be supervised and expressed confidence that the international community will be able to set up the right kind of presence with the right kind of authority. Responding to points Zala had made about Serbian autonomy proposals, DiCarlo noted that the kind of autonomy Serbia had offered was fundamentally undemocratic, as the Kosovars would have had no decision-making authority on any of the competencies Serbia reserved for itself. Furthermore, this approach was unrealistic given the fact that Serbia has not exercised any authority over Kosovo for years.

¶11. (C) DiCarlo reprised this theme in her meeting with SDKU MP and former Foreign Minister Eduard Kukan, after he recounted a comment by Kostunica that Serbia had offered Kosovo "ninety-five percent independence." Kukan alluded to the careful line his successor must walk in order to balance the government's desire to be in sync with EU partners while being mindful of strong domestic sentiment against Kosovo independence. (Comment: SDKU, former PM Dzurinda's party, was a driving force behind the Slovak Parliament's unhelpful resolution on Kosovo last Spring.) Kukan pledged, however, that SDKU -- whose bona fides had been proven under much tougher circumstances -- would, while taking Slovakia's national interests into account, take a realistic stance on Kosovo. (Comment: We believe Kukan "gets it" on Kosovo and does not want to compromise Slovakia's responsible role in the world over Kosovo. However, Dzurinda will determine his party's stance, and we cannot rule out that Dzurinda will want to make more hay out of the issue strictly for domestic purposes. All that said, DAS DiCarlo's engagement with Kukan was a positive and very useful step in managing Slovakia's stance. End Comment.)

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